

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

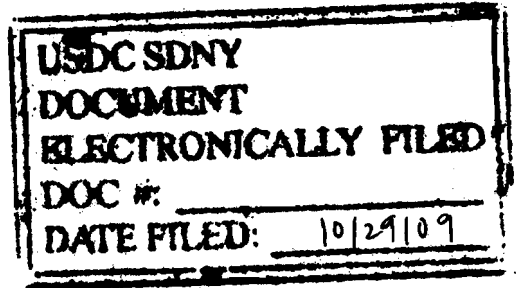
TOM HAMMOND, et al.,

Plaintiffs,

- against -

THE BANK OF NEW YORK MELLON
CORPORATION, et al.,

Defendants.



08 Civ. 6060 (RMB) (RLE)

ADMINISTRATIVE ORDER

For the reasons stated at the conference held before the Court on October 29, 2009, it is hereby

ORDERED, that Defendants' Motion to Dismiss [#51] and Plaintiffs' Motion for Class Certification [#57] are dismissed without prejudice.

SO ORDERED.

Dated: New York, New York
October 29, 2009

RMB

Richard M. Berman, U.S.D.J.